

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEEPAK SHARMA et al. v. SANTANDER BANK, N.A.	CIVIL ACTION NO. 22-826
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ORDER RE: MOTION TO DISMISS AND TO STRIKE

AND NOW, this 28th day of June, 2022, upon consideration of Defendant's Motion to Dismiss Plaintiffs' Complaint Pursuant to Rule 12(b)(6) and to Strike Plaintiffs' Jury Demand Pursuant to Rule 12(f) (ECF 7), Plaintiffs' Response in Opposition (ECF 10), and Defendant's Reply (ECF 11), and for the reasons stated in the foregoing Memorandum, it is hereby **ORDERED** that:

1. Defendant's Motion to Dismiss is **GRANTED** without prejudice. Plaintiffs' breach of implied warranty and negligent infliction of emotional distress claims (Counts II & III) are dismissed without prejudice with leave to amend.
2. Defendant's Motion to Strike is **DENIED** without prejudice.

BY THE COURT:

/s/ **MICHAEL M. BAYLSON**

MICHAEL M. BAYLSON
United States District Judge